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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

WESTERN WATERSHEDS PROJECT,

*Plaintiff,*

v.

DOUG BURGUM, in his capacity as  
Secretary of the Interior,<sup>1</sup> U.S. FISH  
AND WILDLIFE SERVICE, and  
CLARK COUNTY, NEVADA,

*Defendants.*

Case No. 2:23-cv-02009-GMN-EJY

**JOINT MOTION FOR ENTRY OF  
SCHEDULING ORDER**

**JOINT MOTION FOR ENTRY OF SCHEDULING ORDER**

Pursuant to the Court's Order dated April 9, 2024 (ECF No. 50), Federal Defendants the U.S. Fish and Wildlife Service and Doug Burgum, in his official capacity as Secretary of the Interior, and Plaintiff Western Watersheds Project hereby move for entry of a Scheduling Order and submit the following proposed schedule for production of the administrative record and briefing on the merits. The parties previously agreed that Plaintiff's claims shall be resolved

<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d), Secretary of the Interior Doug Burgum is automatically substituted for his predecessor in office, Debra Haaland.

1 following the lodging and review of an administrative record, but that the time was not yet ripe to  
 2 set a deadline for the production of the administrative record or for motions for summary judgment  
 3 because Defendants' Motions to Dismiss Plaintiff's First Amended Complaint were still pending.  
 4 (*See* ECF 45, 46, 50). Defendants' Motions have now been resolved. (ECF 62). Therefore, Plaintiff  
 5 and Federal Defendants<sup>2</sup> conferred on a schedule for production of the administrative record and  
 6 briefing. The parties respectfully request that the Court enter the following schedule in this case:

7 **A. Administrative Record**

- 8 1. Pursuant to Fed. R. Civ. P. 12(a)(4), Federal Defendants' answer is due **April 9,**  
 9 **2025.**
- 10 2. No later than **June 18, 2025**, Federal Defendants shall provide Plaintiff with the  
 11 index to the Administrative Record for this case.
- 12 3. No later than **July 2, 2025**, Plaintiff will notify Federal Defendants of any concerns  
 13 regarding the contents the Administrative Record.
- 14 4. The parties shall confer and attempt to informally resolve any disputes regarding  
 15 the Administrative Record no later than **July 9, 2025**. The parties will inform the  
 16 Court in a status report no later than **July 9, 2025**, whether they agree that the  
 17 Administrative Record is complete.
- 18 5. Federal Defendants shall certify and lodge the Administrative Record with the  
 19 Court and serve that administrative record on Plaintiff's counsel no later than **July**  
 20 **16, 2025.**
- 21 6. Plaintiff shall file any motion regarding the Administrative Record no later than  
 22 **July 23, 2025**. Federal Defendants reserve the right to oppose any such motions.  
 23 The filing of any motions regarding the Administrative Record will stay the  
 24  
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26 <sup>2</sup> Plaintiff's claims against Defendant Clark County, Nevada were resolved when the Court  
 27 granted Defendant Clark County's motion to dismiss. Plaintiff and Federal Defendants conferred  
 28 with Clark County and stipulated that Clark County may submit an amicus brief. A proposed  
 date for the submission of that brief is included in this proposed schedule.

remaining deadlines in this briefing schedule, and the Parties will submit a new proposed scheduling order within 21 days of the Court's order on such motions.

**B. Briefing on the Merits**

1. If no motions related to the Administrative Record are filed, Plaintiff shall file its Motion for Summary Judgment and Opening Brief no later than **August 26, 2025**.
2. Federal Defendants shall file their combined Response to Plaintiff's Motion for Summary Judgment and Cross-Motion for Summary Judgment no later than **October 6, 2025**.
3. Pursuant to the parties' stipulation to Clark County submitting an amicus brief, Clark County shall file its amicus brief no later than **October 6, 2025**.
4. Plaintiff shall file its combined Response to Defendant's Cross-Motion for Summary Judgment and Reply in Support of its Motion for Summary Judgment no later than **November 5, 2025**.
5. Plaintiff shall file its response to Clark County's amicus brief no later than **November 5, 2025**.
6. Federal Defendants shall file their reply in support of their Cross-Motion for Summary Judgment no later than **December 5, 2025**.

The parties respectfully request that the Court enter the foregoing schedule proposed by the parties.

Dated: April 8, 2025

Respectfully submitted,

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Acting Assistant Attorney General  
Environment & Natural Resources Division

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Jointly proposed by:

WESTERN WATERSHEDS PROJECT

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*Attorneys for Plaintiff*

**IT IS SO ORDERED** this 8th day of April, 2025.

  
UNITED STATES MAGISTRATE JUDGE